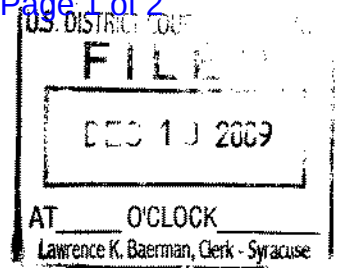


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK



CAROLS ABREU,

Plaintiff,

**STIPULATION OF
DISCONTINUANCE
AND DISMISSAL**

-against-

08-CV-01109

LASHWAY, *et al*,

TJM/DEP/VEB [Mediation]

Defendants.

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, plaintiff *pro se*, Carlos Abreu, and the attorneys for defendants, parties to the above entitled-action, that, whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, the above-entitled action be and the same hereby is withdrawn in its entirety and dismissed with prejudice as to all defendants pursuant to Fed. R. Civ. P. 41 (a)(1).

Dated: Comstock, New York
December 8, 2009

A handwritten signature in black ink, appearing to read "Carlos Abreu".

Carlos Abreu, 99-A-3027
Plaintiff *pro se*
Great Meadow Correctional Facility
P.O. Box 51
Comstock, NY 12821

Dated: Comstock, New York
December 8, 2009

ANDREW CUOMO
Attorney General of the State of New York
Attorney for Defendants
The Capitol
Albany, New York 12224-0341

A handwritten signature in black ink, appearing to read "Bruce J. Boivin".

By _____
Bruce J. Boivin

Assistant Attorney General, of Counsel
Bar Roll No. 507894
Telephone: 518-473-5093
Email: Bruce.Boivin@oag.state.ny.us

Dated: Comstock, New York
December 8, 2009

SO ORDERED:

A handwritten signature in black ink, consisting of a large, stylized 'V' followed by a series of loops and a horizontal stroke at the end.

HON. VICTOR E. BIANCHINI
VISITING UNITED STATES MAGISTRATE JUDGE